

19850514

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

TUESDAY, MAY 14, 1985

AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Hedgecock at 9:07 a.m. The meeting was recessed by Mayor Hedgecock at 9:31 a.m. to meet in closed session in the twelfth floor conference room on meet and confer matters. The meeting was reconvened by Mayor Hedgecock at 9:51 a.m. with Council Member Mitchell not present.

Council Member Cleator introduced visitors from San Diego Community College.

Mayor Hedgecock recessed the meeting at 11:58 a.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor Hedgecock at 2:04 p.m. with Council Member Mitchell not present. Mayor Hedgecock adjourned the meeting at 5:58 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Hedgecock-present
 - (1) Council Member Mitchell-excused by R-263184
(City business in China)
 - (2) Council Member Cleator-present
 - (3) Council Member McColl-present
 - (4) Council Member Jones-present
 - (5) Council Member Struiksma-present
 - (6) Council Member Gotch-present
 - (7) Council Member Murphy-present
 - (8) Council Member Martinez-present
- Clerk-Abdelnour (eb a.m.; mp p.m.)

FILE: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Hedgecock-present
- (1) Council Member Mitchell-not present
- (2) Council Member Cleator-present
- (3) Council Member McColl-present
- (4) Council Member Jones-not present
- (5) Council Member Struiksma-present

- (6) Council Member Gotch-present
- (7) Council Member Murphy-present
- (8) Council Member Martinez-not present

ITEM-205:

Four actions relative to a schedule of compensation and employee agreements for Fiscal Year 1985-86:

Subitem-A: (O-85-191) INTRODUCED, TO BE ADOPTED MAY 28, 1985

Introduction of an Ordinance establishing a Schedule of Compensation for Officers and Employees of the City of San Diego for the Fiscal Year 1985-86 (Salary Ordinance).

Subitem-B: (R-85-2105) ADOPTED AS RESOLUTION R-263169

Adoption of a Resolution endorsing and approving the Memorandum of Understanding agreed to by the management team and employee organizations.

Subitem-C: (R-85-2106) ADOPTED AS RESOLUTION R-263170

Adoption of a Resolution approving the classifications of personnel in the classified service of the City of San Diego eligible for premium or regular rate overtime.

Subitem-D: (R-85-2107) ADOPTED AS RESOLUTION R-263171

Adoption of a Resolution amending the employee representation units.

FILE: SUBITEM-A --, SUBITEMS-B, C, D MEET

COUNCIL ACTION: (Tape location: A019-501.)

MOTION BY JONES TO INTRODUCE SUBITEM-A AND ADOPT SUBITEMS B, C, and D. Second by Martinez. Passed by the following vote:

Mitchell-not present, Cleator-nay, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-310: PROCLAIMED

A proclamation declaring May 16, 17 and 18 as "Senior Fiesta Days" on behalf of the San Diego Freestore.

FILE: MEET

COUNCIL ACTION: (Tape location: A594-619.)

ITEM-311: WELCOMED

Welcoming a group of 5th and 6th graders from Marshall Elementary School, who will arrive at approximately 10:00 a.m.

(District-3.)

FILE: MEET

COUNCIL ACTION: (Tape location: A620-640.)

ITEM-312: REFERRED TO HOUSING COMMISSION AND CITY MANAGER

The matter of a report from the Planning Department regarding the potential improvement of Angelucci Street (Belden Village I) and Stalmer Street (Sara Lynn project). (See Planning Department Report PDR-85-255. Clairemont Mesa Community Area. District-5.)

FILE: SUBD - Mirador Park Phase 1

COUNCIL ACTION: (Tape location: A640-B094.)

MOTION BY STRUIKSMA TO DIRECT THE HOUSING COMMISSION, PLANNING DEPARTMENT AND CITY MANAGER TO PURSUE HUD FUNDING AND ALL STEPS NECESSARY FOR IMPROVING ANGELUCCI AND STALMER STREETS, AND REPORT BACK TO COUNCIL IN 90 DAYS IF FUNDING HAS BEEN APPROVED, IS IN PROGRESS, OR, IF DENIED, WHAT OTHER FUNDING ALTERNATIVES NEED TO BE PURSUED. Second by Gotch. Passed by the following vote: Mitchell-not present, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-330:

Three actions relative to a Freeway Agreement for the improvement of Route 15 from 0.6 mile north of Route 805 to 0.5 mile south of Route 8 (40th Street Area): (Mid-City Community Area. District-3. See City Manager Report CMR-85-182 and Committee Consultant Analysis TLU-85-10.)

Subitem-A: (R-85-1972) ADOPTED AS RESOLUTION R-263172

Authorizing the execution of an agreement with the State of California, Department of Transportation (CalTrans), for the construction of Route 15 from 0.6 mile north of Route 805 to 0.5 mile south of Route 8 (40th Street Area).

Subitem-B: (R-85-1973) ADOPTED AS AMENDED AS RESOLUTION
R-263173

Authorizing the execution of a mitigation agreement with the State of California, Department of Transportation, for

Route 15, setting forth the specific mitigation measures to be provided by the State of California, Department of Transportation as a part of the construction of Route 15.

Subitem-C: (R-85-1974) ADOPTED AS RESOLUTION R-263174

Certifying that the information contained in Environmental Study Summary, SCH No. 73082748, in connection with the construction of Route 15 in the City of San Diego, from 0.6 mile north of Route 805 to 0.5 mile south of Route 8 (40th Street), has been reviewed and considered by the Council.

COMMITTEE ACTION: Reviewed by TLU on 4/17/85. Recommendation to approve the City Manager's recommendations in CMR-85-182.

Ensure any air space rights created by covered blocks are offered to the City. Ensure that the City and community have continued input into the design of the freeway and the proposed landscaping. Revised language regarding provision 1 of the mitigation agreement was verbally revised and will be reflected in a revised mitigation agreement for City Council review.

Districts 3, 6 and 8 voted yea. Districts 1 and 5 not present.

FILE: MEET CONFY85-2

COUNCIL ACTION: (Tape location: B250-D243,E023-G244.)

Hearing began 10:30 a.m. and recessed 11:58 a.m.

Testimony in favor by Tom Hawthorne, Susan Davis, Mr. Grasberger, David Thompson, Alan Smith, Betty Atkins, Michael Galasso, Andrew Schlaefli, Steve Beals, and Gary Classen. Council Member Cleator left at 11:40 a.m.

Testimony in opposition by David Jacobs, Doug Girali, John Hartley, Ron Wigginton, Jim Price, Robert Schneider, Nat Grecco, Gloria Chan and Jay Cole.

Hearing reconvened at 2:08 p.m. and halted 3:53 p.m.

Council Member Cleator entered at 2:15 p.m.

Council Member Martinez entered at 2:20 p.m.

Testimony in opposition by Fred Brown, Jim Bleisner, and Steve Temko.

Mayor Hedgecock closed the hearing.

Motion by Murphy to place the City commitment for the second block of cut and cover in a separate resolution as opposed to the Memorandum of Understanding. Second by Martinez. Failed by the following vote: Yeas: 2,7,8. Nays: 3,4,5,6,M. Not Present: 1.

MOTION BY McCOLL TO APPROVE SUBITEM-A AND -C, APPROVE SUBITEM-B WITH THE FOLLOWING AMENDMENTS TO THE MITIGATION AGREEMENT:

1) ITEM 1. A PRIMARY GOAL IN THE DEVELOPMENT OF THE FREEWAY IS TO COVER THE EIGHT BLOCKS BETWEEN ADAMS AND LANDIS, SUBJECT TO THE AVAILABILITY OF FUNDING. THE STATE, IN

ACCORDANCE WITH THIS MITIGATION AGREEMENT, COMMITS ITSELF AS OF THIS DATE TO PROVIDE FOR THE COVER OF THE BLOCK BETWEEN POLK AND ORANGE AVENUES. THE CITY, IN ACCORDANCE WITH THIS MITIGATION AGREEMENT, COMMITS ITSELF AS OF THIS DATE TO PROVIDE FOR THE COVER OF AN ADDITIONAL BLOCK. ADDITIONAL STATE AND FEDERAL FUNDING WILL BE VIGOROUSLY PURSUED FOR THE CUT AND COVER BLOCKS OTHER THAN THE STATE BLOCK PRIOR TO THE COMPLETION OF DESIGN. LOCAL FUND SOURCES WILL BE PURSUED, CONSISTING OF POTENTIAL TAX INCREMENTS FLOWING FROM THE ESTABLISHMENT OF A REDEVELOPMENT PROJECT AREA, POSSIBLE ALLOCATION OF CAPITAL IMPROVEMENT FUNDS, AND LEASE REVENUES THAT MIGHT BE DERIVED FROM PRIVATE DEVELOPMENT OF THE COVER.

2) TO ITEM 7. (REFLECTIVE OF THE RECOMMENDATIONS MADE IN THE MAY 8, 1985, LETTER FROM SUPERINTENDENT PAYZANT, SAN DIEGO CITY SCHOOLS) THE STATE WILL CONFORM TO THE REQUIREMENTS OF SECTION 216 OF THE STREETS AND HIGHWAYS CODE RELATIVE TO CONTROL OF FREEWAY NOISE AS IT WOULD APPLY TO SCHOOLS IN THE AREA. NEGOTIATIONS WITH THE SAN DIEGO UNIFIED SCHOOL DISTRICT WILL BEGIN SHORTLY AFTER A FREEWAY AGREEMENT IS EXECUTED. QUALIFIED CONSULTANTS OR STATE EMPLOYEES IN THE FIELDS OF ACOUSTICS, AIR QUALITY AND TRAFFIC, SELECTED OR APPROVED BY THE SCHOOL DISTRICT AND FUNDED BY CALTRANS, SHALL PROVIDE RECOMMENDATIONS OF APPROPRIATE ARCHITECTURAL AND/OR MECHANICAL MEASURES FOR CONSIDERATION AND APPROVAL BY THE SCHOOL DISTRICT AND CALTRANS IN ORDER TO SATISFACTORILY RESOLVE THE FOLLOWING CONCERNS RELATED TO THE COMPLETED FREEWAY PROJECT AND ITS CONSTRUCTION PHASE: A) CONTROL OF NOISE WITHIN THE BUILDINGS AND ON THE SCHOOL PLAYGROUND FROM THE FREEWAY AS WELL AS CENTRAL AVENUE TRAFFIC. B) AIR QUALITY WITHIN AND AROUND THE SCHOOL. C) TRAFFIC AND CIRCULATION RELATIVE TO SAFE ACCESS TO THE SCHOOL. D) LOCATION OF THE CUT AND COVER. Second by Struiksmma. Passed by the following vote: Mitchell-not present, Cleator-yea, McColl-yea, Jones-yea, Struiksmma-yea, Gotch-yea, Murphy-yea, Martinez-nay, Mayor Hedgecock-yea.

ADDITIONAL BUSINESS: (R-85-) ADOPTED AS RESOLUTION R-263175 MOTION BY McCOLL TO REQUEST THE STATE LEGISLATORS REPRESENTING THE MID-CITY COMMUNITY TO INSERT BUDGETARY LANGUAGE IN THE UPCOMING STATE BUDGET THAT DIRECTS CALTRANS TO PURSUE FUNDING FROM ALL SOURCES TO COVER THE ENTIRE ROUTE 15 FREEWAY AS IT PASSES THROUGH THE URBANIZED AREA OF MID-CITY, INCLUDING SPECIAL LEGISLATION; INSTRUCTING THE GOVERNOR'S OFFICE OF ECONOMIC OPPORTUNITY TO INVESTIGATE ALL SOURCES AND OPPORTUNITIES FOR THIS AREA, INCLUDING A SITE SPECIFIC ENTERPRISE ZONE; THAT THE SAN DIEGO CITY COUNCIL COMMITS TO WORK WITH BOTH THE LOCAL LEGISLATIVE DELEGATIONS OF THE FEDERAL AND STATE LEVEL IN

PURSUING FUNDING FOR THE ADDITIONAL COVER OF ROUTE 15 THROUGH THE MID-CITY COMMUNITY. Second by Struiksma. Passed by the following vote: Mitchell-not present, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-nay, Mayor Hedgecock-yea.

(Direction to Intergovernmental Relations Department to work with Council Member McColl to prepare language for a resolution reflecting this motion.)

ITEM-331:

Two actions relative to the Fifth Avenue (Laurel Street to University Avenue) Underground Utility District:
(Uptown Community Area. District-8.)

Subitem-A: (R-85-1733) ADOPTED AS RESOLUTION R-263176
Establishing an Underground Utility District to be known and denominated as the Fifth Avenue (Laurel Street to University Avenue) Underground Utility District.

Subitem-B: (R-85-1734) ADOPTED AS RESOLUTION R-263177
Authorizing the expenditure of an amount not to exceed \$9,000 from CIP-37-028, Federal Revenue Sharing Fund 18013, for the purpose of providing funds for administering the Fifth Avenue (Laurel Street to University Avenue) Underground Utility District, minor City Force work and other related work.

CITY MANAGER REPORT: The proposed district will underground the overhead utility facilities on Fifth Avenue between Laurel Street and University Avenue. This is a scheduled project in the CY 1986 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. The total number of affected properties in this district is 57, of which 2 are single family residential properties and 55 are commercial or multi-family properties. A typical cost range for a licensed contractor to perform this conversion work on residential private property is \$600 to \$1,100. Conversion costs may vary on commercial private properties due to the differences in service size and location. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

FILE: STRT K-140

COUNCIL ACTION: (Tape location: G248-287.)

Hearing began at 3:53 p.m. and halted at 3:56 p.m.

MOTION BY MARTINEZ TO CLOSE THE HEARING AND TO ADOPT THE RESOLUTIONS. Second by Struiksma. Passed by the following vote: Mitchell-not present, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

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ITEM-332:

Rezoning approximately 40.2 acres located north of Mira Mesa Boulevard, one-half mile east of the intersection of I-805 and Sorrento Valley Road, in the Mira Mesa Community Plan area, from Zone A-1-10 (portions HR Overlay and Coastal Zone) to Zone M-1B (portions HR Overlay and Coastal Zone). The subject property is further described as a portion of Section 4, Township 15 South, Range 3 West, S.B.B.M.
(Case-84-0937. District-5.)

Subitem-A: (R-85-1885) ADOPTED AS RESOLUTION R-263178

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-84-0937 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (O-85-171) INTRODUCED, TO BE ADOPTED MAY 28, 1985

Introduction of an Ordinance for M-1B Zoning.

Subitem-C: (R-85-2198) ADOPTED AS RESOLUTION R-263179

Adoption of a Resolution containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with Environmental Impact Report EIR-84-0937.

FILE: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: G248-287.)

Hearing began at 3:53 p.m. and halted at 3:56 p.m.

MOTION BY STRUIKSMA TO CLOSE THE HEARING, ADOPT THE RESOLUTIONS AND INTRODUCE THE ORDINANCE. Second by Martinez. Passed by the following vote: Mitchell-not present, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-333: CONTINUED TO MAY 21, 1985, 10:00 A.M.

Rezoning a 1.86-acre site located on the south side of University Avenue between Mississippi and Louisiana Streets in the Park Northeast Community Plan area, from Zones C and R-1000 to Zone CA. The subject property is further described as Block 3, Pauly's Addition, Map-65 and portions of Louisiana and Mississippi Streets vacated.
(Case-84-0948. District-3.)

Subitem-A: (R-85-1886)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-84-0948 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-85-172)

Introduction of an Ordinance for CA Zoning.

FILE: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: G284-354.)

Hearing began at 3:56 p.m. and halted at 4:01 p.m.

MOTION BY McCOLL TO CONTINUE FOR ONE WEEK AND TO REQUEST A COMMITMENT BY THE DEVELOPER IN WORKING WITH THE CITY IN CARRYING OUT THE LANDSCAPING PROGRAM FOR THIS AREA, INCLUDING THE SIZE OF TREES TO BE PLANTED. ADDITIONALLY, WITH REGARD TO THE NEW URBAN DESIGN LANDSCAPING/SIGN GUIDELINES THAT HAVE BEEN DEVELOPED AND WILL BE GOING TO THE PLANNING COMMISSION, IS THERE ANY REQUIREMENT THAT IN THE OLDER NEIGHBORHOODS--ASSUMING PROPER WIDTH OF THE SIDEWALK--THAT STREET TREES BE PLANTED? IF THERE ISN'T, THEN WORK WITH COUNCIL MEMBER MARTINEZ TO SCHEDULE A COMMITTEE HEARING REGARDING THE MATTER OF POSSIBLY INCLUDING THIS REQUIREMENT IN THE GUIDELINES. Second by Gotch. Passed by the following vote: Mitchell-not present, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

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ITEM-334:

Matter of the appeals of William McClelland, Carl T. Buettner, Jr., and F. Stanley Berry from the decision of the Planning Commission in approving Conditional Use Permit CUP-84-0760, which proposes development of a 46-unit senior citizen housing project in the Uptown Community Plan area.

The project is located on the north side of Essex Street between Tenth Avenue and Vermont Street in Zone R-600 and is further described as Lots 8 through 14, Block 213, University Heights, Map-526.
(CUP-84-0760. District-8.)

Subitem-A: (R-85-2200) ADOPTED AS RESOLUTION R-263180

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-84-0760 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-85-2201) ADOPTED AS RESOLUTION R-263181
DENYING APPEAL AND GRANTING PERMIT

Adoption of a Resolution granting the appeal and denying the permit or denying the appeal and granting the permit with appropriate findings to support Council action.

FILE: PERM CUP-84-0760

COUNCIL ACTION: (Tape location: G357-626.)

Hearing began at 4:01 p.m. and halted at 4:16 p.m.

Testimony in opposition by Carl T. Buettner.

MOTION BY MARTINEZ TO CLOSE THE HEARING, ADOPT SUBITEM-A, AND ADOPT SUBITEM-B DENYING THE APPEAL AND GRANTING THE PERMIT.

Second by Cleator. Passed by the following vote: Mitchell-not present, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-335: (R-85-) CONTINUED TO JULY 9, 1985 10:00 A.M.

Matter of the appeal of Paul Morris and David J. Comstock from the decision of the Board of Zoning Appeals in approving the request to maintain an existing 300 sq. ft. guest quarters attached to a garage on a lot with an existing single-family dwelling. The guest quarters observe a 1'-0" interior side yard where 4'-0" is required. The subject property is located at 5439 Beaumont Avenue, in the R1-5000 Zone and is more particularly described as Lot 7, Block 24, Bird Rock Addition, Map-1083.
(Case-C-18672. District-1.)

Adoption of a Resolution granting the appeal and denying the variance or denying the appeal and granting the variance with appropriate findings to support Council

action.

FILE: --

COUNCIL ACTION: (Tape location: B204-248.)

MOTION BY GOTCH TO CONTINUE TO JULY 9, 1985, 10:00 A.M. AT APPELLANT'S REQUEST. Second by Martinez. Passed by the following vote: Mitchell-not present, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

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ITEM-336: (R-85-2199) ADOPTED AS RESOLUTION R-263182 GRANTING WAIVER

(Continued from the meeting of April 15, 1985 at Council Member Jones' request.)

Matter of:

A request for public hearing, pursuant to Section 101.0205.2 of the San Diego Municipal Code, to allow development of a 16 unit apartment in the R-1000 Zone without requiring a discretionary permit incorporating design review. The site is located on the north side of National Avenue between 37th and 38th Streets.

The subject property is located in the Southeast San Diego Community Plan area and is more particularly described as a Lots 41 through 44, Block 407, Helpingstine's Addition, Map-450.

This project requests a waiver from Emergency Ordinance O-16332 N.S. which establishes permit processing and design review on all multiple family residentially zoned properties located in the Southeast San Diego community. (Case-85-0274. District-4.)

Today's action is adoption of a Resolution granting or denying the waiver from Emergency Ordinance O-16332 N.S.

FILE: ZONE

COUNCIL ACTION: (Tape location: G628-H122.)

Hearing began at 4:16 p.m. and halted at 4:27 p.m.

Testimony in opposition by Verna Quinn.

Testimony in favor by Bill Graham.

MOTION BY JONES TO CLOSE THE HEARING AND TO ADOPT A RESOLUTION GRANTING THE WAIVER. Second by McColl. Passed by the following vote: Mitchell-not present, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-337: (R-85-) CONTINUED TO JULY 30, 1985, 10:00 A.M.

(Continued from the meeting of April 15, 1985 at Council Member Jones' request.)

Matter of:

A request for public hearing, pursuant to Section 101.0205.2 of the San Diego Municipal Code, to allow development of a 16 unit apartment addition to an existing 8 unit apartment development in the R-1500 Zone without requiring a discretionary permit incorporating design review. The site is located on the east side of 47th Street between Logan Avenue and T Street (811 South 47th). The subject property is located in the Southeast San Diego Community Plan area and is more particularly described as a portion of Lot 55, Horton's Purchase, Map-283. This project requests a waiver from Emergency Ordinance O-16332 N.S. which establishes permit processing and design review on all multiple family residentially zoned properties located in the Southeast San Diego community. (Case-85-0269. District-4.)

Today's action is adoption of a Resolution granting or denying the waiver from Emergency Ordinance O-16332 N.S.

FILE: --

COUNCIL ACTION: (Tape location: B122-140.)

MOTION BY JONES TO CONTINUE TO JULY 30, 1985, 10:00 A.M. AT PROPERTY OWNER'S REQUEST. Second by Murphy. Passed by the following vote: Mitchell-not present, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-338: CONTINUE TO JUNE 10, 1985, 2:00 P.M. AND REFER TO TLU FOR HEARING ON JUNE 5, 1985

Matters which affect a portion of Parcel 3, Parcel Map PM-12542, a 144-acre site located on the east side of I-15, south and west of Pomerado Road and north of Escala Drive, in Zones A-1-1 and R1-20000 (portions HR), in the Rancho Bernardo Community Plan area.

1) Appeals of E. F. Hutton Life Insurance Company, by Donald R. Worley, Attorney, from the decision of the Planning Commission in denying:

- a) Planned Commercial Development Permit PCD-83-0851, which proposes a 300-room hotel, ancillary restaurant and approximately one million square feet of office use on the above-described real property, and
- b) Tentative Map TM-83-0851 (Battle Mountain) which proposes an eight-lot subdivision on the above-described real property;

- 2) Rezoning approximately 76.4 acres of the above-described real property from Zone R1-20000 (portions HR) to Zone CO;
- 3) Amendment to the Rancho Bernardo Community Plan.
(Case, PCD and TM-83-0851. District-1.)

Subitem-A: (R-85-1887)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-83-0851 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (R-85-)

Adoption of a Resolution granting or denying the appeal and the permit with appropriate findings to support Council action.

Subitem-C: (R-85-)

Adoption of a Resolution granting or denying the appeal and the map with appropriate findings to support Council actions.

Subitem-D: (O-85-173)

Introduction of an Ordinance for CO Zoning.

Subitem-E: (R-85-2016)

Adoption of a Resolution denying the amendment to the community plan.

Subitem-F: (R-85-2017)

Adoption of a Resolution denying the amendment to the Progress Guide and General Plan by incorporating the amendment to the Rancho Bernardo Community Plan, to become effective when the amendment to the General Plan Map is adopted after a hearing on or about July 2, 1985.

Subitem-G: (R-85-)

Adoption of a Resolution containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with Environmental Impact Report EIR-83-0851.

FILE: --

COUNCIL ACTION: (Tape location: B141-177.)

MOTION BY MARTINEZ TO CONTINUE TO JUNE 10, 1985, 2:00 P.M. AND REFER TO TLU FOR HEARING ON JUNE 5, 1985, AT MR. WORLEY'S REQUEST. Second by Murphy. Passed by the following vote: Mitchell-not present, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-339: (R-85-1763) ADOPTED AS AMENDED AS RESOLUTION R-263183

(Continued from the meetings of April 9, 1985 and April 23, 1985; last continued due to lack of time.)

Proposed policy language to be included in the City's revised Local Coastal Program (LCP) Land Use Plan Segments for North City, Pacific Beach, Ocean Beach and the Peninsula Community Planning areas.

Adoption of a Resolution approving the "Revisions to the North City, Pacific Beach, Peninsula and Ocean Beach Segment Land Use Plans" and authorizing submittal to the California Coastal Commission.

FILE: LAND Local Coastal Program

COUNCIL ACTION: (Tape location: H125-J170.)

Hearing began at 4:28 p.m. and halted at 5:56 p.m.

Testimony by Norbert Dall, John Thelan, Tom Crandall, Bill Fell, Karen Clark, Lynn Benn, Alice Goodkin, and John Guiles.

MOTION BY MURPHY TO SUSPEND THE RULES TO CONTINUE THE MEETING TO 6:00 P.M. Second by Martinez. Passed by the following vote:

Mitchell-not present, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

MOTION BY STRUIKSMA TO CLOSE THE HEARING AND TO ADOPT THE LCP AND THE LANGUAGE SUBMITTED BY STAFF AS AMENDED AS FOLLOWS: (1) AMEND PARAGRAPH 2.b.1. OF ATTACHMENT 2 BY INSERTING AFTER "RESTORATION OF RIPARIAN CORRIDORS ALONG CARMEL CREEK, AND" THE WORDS "SHALL CONSIDER". DELETE THE STATEMENT IN PARENTHESES WHICH READS: (INCLUDING THE SAN DIEGO GAS AND ELECTRIC COMPANY PROPERTY); (2) ADD THE COMPROMISE LANGUAGE OF THE COASTAL COMMISSION STAFF, SUBMITTED TO COUNCIL AT THE MEETING, WHICH DEALS WITH THE 25% SLOPES. Second by Cleator. Passed by the following vote: Mitchell-not present, Cleator-yea, McColl-yea, Jones-yea, Struiksma-nay, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-340: CONTINUED TO JULY 2, 1985, 10:00 A.M.

Matter of the appeal of Walter and Joseph Zumstein, by

Ronald C. Parker, Agent, from the decision of the Planning Commission in approving Tentative Map TM-84-0895 as modified, which proposes a 4-lot tentative parcel map of portions of the West Half of the Southwest Quarter of the Southeast Quarter of Section 28, Township 18 South, Range 2 West, S.B.B.M.

The subject property is located on the north side of Ilex Avenue between Saturn Boulevard (19th Street) and Switzerland Drive in Zone R1-5000 and within the boundaries of the Otay Mesa-Nestor Community Plan.

(TM-84-0895. District-8.)

Adoption of a Resolution granting or denying the appeal and the map with conditions and/or modifications and with appropriate findings to support Council action.

FILE: SUBD Township 18 South, West 1/2 of the SW
1/4 of the SE 1/4 of Section 28, Range 2
West, SBBM

COUNCIL ACTION: (Tape location: E009-022.)

MOTION BY STRUIKSMA TO CONTINUE TO JULY 2, 1985, 10:00 A.M., AT MR. DETISH'S REQUEST. Second by Gotch. Passed by the following vote: Mitchell-not present, Cleator-not present, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-not present, Mayor Hedgecock-yea.

ITEM-UC-1: REFERRED TO PERSONNEL DIRECTOR

(Trailed from the meeting of May 13, 1985 by common consent)

A Matter presented to the City Council with UNANIMOUS CONSENT:

Matter of presentations from prospective firms relating to the "Search for a New City Manager."

FILE: MEET

COUNCIL ACTION: (Tape location: A501-593.)

MOTION BY CLEATOR TO DIRECT THE PERSONNEL DIRECTOR TO NEGOTIATE A CONTRACT WITH KORN/FERRY INTERNATIONAL AND BRING BACK TO COUNCIL. Second by Jones. Passed by the following vote: Mitchell-not present, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

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ITEM-UC-2: (R-85-2194) ADOPTED AS RESOLUTION R-263184

A Resolution presented to the City Council with UNANIMOUS
CONSENT:

Excusing Deputy Mayor Mitchell from Council meetings of May
14, 20, 21, 28, and June 3, and 4, 1985, and from the
Transportation and Land Use Committee meetings of May 15
and June 5, 1985, for the purpose of traveling to the
People's Republic of China on City business.

FILE: MEET

COUNCIL ACTION: (Tape location: J175-178.)

MOTION BY MURPHY TO ADOPT. Second by Gotch. Passed by the
following vote: Mitchell-not present, Cleator-yea, McColl-yea,
Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea,
Mayor Hedgecock-yea.

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ITEM-UC-3: (R-85-2195) ADOPTED AS RESOLUTION R-263185

A Resolution presented to the City Council with UNANIMOUS
CONSENT:

Excusing Council Member Mike Gotch from May 13, 1985, Rules
Committee and Council meetings due to illness.

FILE: MEET

COUNCIL ACTION: (Tape location: J178-180.)

MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the
following vote: Mitchell-not present, Cleator-yea, McColl-yea,
Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea,
Mayor Hedgecock-yea.

ADJOURNMENT:

By common consent, Mayor Hedgecock adjourned the meeting.

FILE: MINUTES

COUNCIL ACTION: (Tape location: J180).